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June 2, 2022

**VIA ECF**

The Honorable Brian M. Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *United States v. Mark Nordlicht, et al.*, No. 1:16-cr-00640-BMC (E.D.N.Y.)

Dear Judge Cogan:

On behalf of Mark Nordlicht, we respectfully request an adjournment of Mr. Nordlicht's sentencing, which is currently set for June 7, 2022.

On May 27, 2022, the parties received Mr. Nordlicht's Presentence Investigation Report ("PSR") from the Probation Department. The Federal Rules of Criminal Procedure require, however, that Mr. Nordlicht receive the PSR at least 35 days before sentencing. *See* Fed. R. Crim. P. 32(e)(2). Mr. Nordlicht is currently preparing his objections, which the Probation Department will review and consider before submitting the final PSR to the Court. *See* Fed. R. Crim. P. 32(f). Therefore, we believe that it is necessary to adjourn the June 7 sentencing.

Because of prior commitments, vacation schedules, and Jewish religious observances, Mr. Nordlicht and his counsel are not available between July 18 and August 5. We would therefore respectfully request that Mr. Nordlicht's sentencing be adjourned to August 8, 2022, or the first available date thereafter.

Counsel for the government has proposed that Mr. Nordlicht's sentencing be set for the week of July 11. The Court, however, has set the sentencing of Mr. Levy, Mr. Nordlicht's co-defendant, for July 13, and we believe that his sentencing should precede that of Mr. Nordlicht, because the Probation Office had completed Mr. Levy's PSR first. In addition, Mr. Nordlicht's counsel has conflicts on July 12, 14, and 15 of that week.

Therefore, we respectfully request that Mr. Nordlicht's sentencing be adjourned to August 8, 2022, or to the first available date thereafter.



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Respectfully,

/s/ Andrew J. Levander

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cc: All Counsel (via ECF)

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